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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,079	09/04/2003	Jun Ikeda	CFA00003US	8352

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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
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EXAMINER	
DICKER, DENNIS T	

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/656,079	IKEDA, JUN	
	Examiner	Art Unit	
	Dennis Dicker	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14 and 16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14 and 16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/15/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments as pertaining to claims 1-14 and 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Qiao (hereinafter "Qiao '423' 2002/0097423).

As pertaining to **Claim 1**, Qiao '423 teaches a data processing apparatus **(i.e., Para 0011-0012, Printer)** for communicating with a plurality of information processing apparatuses **(i.e., Fig. 13 and Para 0030, Printer in communication with clients on the network)** where the data processing apparatus compromises a storing means **(i.e., Para 0012, packet monitoring means stores information)** for storing a condition **(i.e., Para 0012 , Packet monitoring means stores last client receive time condition)** for transitioning state of supplying power of a power source unit to each device in the data processing apparatus **(i.e., Para 0012, Last received time is used to determine if the controller will transition the printer into a standby state)**, examining means **(i.e.,**

controller will transition the printer into a standby state), examining means **(i.e., Para 0012, packet monitoring means)** for examining a process running on each of the plurality of information processing apparatuses **(i.e., Para 0013, process of sending packets to the printer by each client is monitored in real time)** and power control means **(i.e., Para 0014 , Power forcing means)** for controlling the state of supplying power of the power source unit to each device **(i.e., Para 0014 , Power is saved in each device of the printer when conditions are met)** based on the result of the process examination **(i.e., 208 of fig. 12 ,the process examination checks if the client is idle or not)** and the condition stored by the storing means **(i.e., 206 of Fig. 12, received time stored is compare to predetermined value).**

As pertaining to **Claim 2**, Qiao '423 teaches a data processing apparatus wherein the examining means examines the process in accordance with user-defined parameters **(i.e., Para 0056 ,the examining means examines client computers in accordance with user defined parameters).**

As pertaining to **Claim 3**, Qiao '423 teaches a data processing apparatus wherein the user defined parameters include whether the process is active **(i.e., 208 of fig. 12 , after the user defined parameter met the process examination checks if the client is active or not)**

As pertaining to **Claim 4**, Qiao '423 teaches a data processing apparatus wherein the examining means examines a load average of the process **(i.e., Para 0012, summing of past average usage rates of clients)** and wherein the power control means controls the power supply state based on the results of the process examination

of the load average **(i.e., 210 of Fig. 12, Load average is examined and helps determine if the power control means will control the printer into standby mode).**

As pertaining to Claim 5, Qiao '423 teaches a data processing apparatus wherein the user-defined parameters are set on a per examination processing apparatus basis **(i.e., Fig. 7 and Para 0056, Threshold value which is inputted by user can be entered on a per examination processing apparatus basis).**

As pertaining to **Claim 6,** Qiao '423 teaches a data processing apparatus wherein the power control means limits the power supply state **(i.e., Para 0014 , Power forcing means limits the power)** to each device from the power supply unit to shift to a sleep mode **(i.e., Para 0014 , Power forcing means limits the power in the printer and its devices by putting the printer into a standby state)** based on the results of examination of a plurality of processes provided by the examining means **(i.e., Para 0057-0059 , power save mode is set based on the results of the plurality of clients processes examined by the examination means).**

As pertaining to **Claim 7,** Matsumoto '434 teaches a data processing apparatus comprising an image forming device **(i.e., 101 of Fig. 1, Printer)**

As pertaining to **Claim 8,** Qiao '423 teaches a power control method **(i.e., Para 0016, Power save control method)** for a data processing apparatus including, a power source unit for supplying power required to form images **(i.e., Hardware configuration of a Printer in Fig. 5, all printers include a power source which supplies power required to form images)**, for communicating with a plurality of information processing apparatuses through a network **(i.e., Fig. 13 and Para 0030, Printer in**

communication with clients on the network), the power control method comprising the steps of: examining (**i.e., Para 0012, packet monitoring means examines processes)** a process running on each of the plurality of information processing apparatuses through the network **(i.e., Para 0013, process of sending packets to the printer by each client is monitored in real time)**; and

controlling a state of supplying power **(i.e., Para 0014 , Power forcing means controls power to printer)** of the power source unit to each device in the data process apparatus **(i.e., Para 0014, Power is saved in each device of the printer when conditions are met)** based on the result of the process examination **(i.e., 208 of fig. 12 ,the process examination checks if the client is idle or not)**and a condition for transitioning the state of supplying power of the power source unit to each device **(i.e., 206 of Fig. 12, received time stored is compare to predetermined value).**

As pertaining to **Claim 9**, Qiao '423 teaches a power control method wherein the examining step examines the process in accordance with user-defined parameters **(i.e., Para 0056, the examining means examines client computers in accordance with user defined parameters).**

As pertaining to **Claim 10**, Qiao '423 teaches a power control method wherein the user defined parameters include whether the process is active **(i.e., 208 of fig. 12 , after the user defined parameter met the process examination checks if the client is active or not).**

As pertaining to **Claim 11**, Qiao '423 teaches a power control method wherein the examining step comprises examining a load average of the process **(i.e., Para**

0012, summing of past average usage rates of clients) and wherein the power control step controls the power supply state based on the results of the process examination of the load average **(i.e., 210 of Fig. 12, Load average is examined and helps determine if the power control means will control the printer into standby mode).**

As pertaining to **Claim 12**, Qiao '423 teaches a power control method wherein the user-defined parameters are set on a per examination processing apparatus basis **(i.e., Fig. 7 and Para 0056, Threshold value which is inputted by user can be entered on a per examination processing apparatus basis).**

As pertaining to **Claim 13,** Qiao '423 teaches a power control method wherein the power control step comprises limiting the power supply state **(i.e., Para 0014 , Power forcing means limits the power)** to each device from the power supply unit to shift to a sleep mode **(i.e., Para 0014 , Power forcing means limits the power in the printer and its devices by putting the printer into a standby state)** based on the results of examination of a plurality of processes provided by the examining step **(i.e., Para 0057-0059 , power save mode is set based on the results of the plurality of clients processes examined by the examination means).**

As pertaining to **Claim 14,** Qiao '423 teaches a power control method wherein the data processing apparatus comprises an image forming device **(i.e., Para 0011-0012, Printer)**

As pertaining to **Claim 16,** Qiao '423 teaches A storage medium storing, in a computer readable form**(i.e., Para 0016 , Storage medium storing the method taught**

by Qiao '423), a computer program of a data processing apparatus **(i.e., Para 0011-0012, Printer)** including, a power source unit for supplying power required to form images **(i.e., Para 0011-0012, Printer)**, for communicating with a plurality of information processing apparatuses through a network**(i.e., Fig. 13 and Para 0030, Printer in communication with clients on the network)**, the computer program comprising program code for executing the steps of examining a process **(i.e., Para 0012, Monitoring of packets)** running on each of the plurality of information processing apparatuses through the network **(i.e., Para 0013, process of sending packets to the printer by each client is monitored in real time)** ; and

program code for controlling a state of supplying power of the power source unit to each device **(i.e., Para 0014, Power is saved in each device of the printer when conditions are met)** in the data processing apparatus based on the result of the process examination **(i.e., 208 of fig. 12 ,the process examination checks if the client is idle or not)** and a condition for transitioning the state of supplying power of the power source unit to each device **(i.e., 206 of Fig. 12, received time stored is compare to predetermined value)**.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Dicker whose telephone number is (571) 270-3140. The examiner can normally be reached on Monday -Friday 7:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aung Moe 12/21/07

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Art Unit 2625

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12/20/2007